

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
S.M.A. No. 115 of 2020

Date	Order with signature of Judge
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For hearing of main petition.

10.09.2020

Mr. Ishrat Zahid Alvi, advocate for petitioner.

Learned counsel for the petitioner at the very outset states that the complete address of the subject property is E-26 but due to typographical misstate the word “E” could not be mentioned in the Schedule of Property, which is available at page-15 of memo of petition; hence, he seeks permission for making correction in the Schedule of Property. Permission is accorded.

Through the instant petition, petitioner Mst. Mariam Sohail Mukhi has prayed for the grant of Letter of Administration in respect of immoveable property/asset, details whereof are mentioned in the Schedule of Property attached with the memo of petition, available at page 15, which was left by her deceased mother, namely, Shireen Habib wife of Abdullah Habib, who allegedly died on 20.07.2018 at Karachi, leaving behind (1) Abdullah Habib (widower), (2) Mst. Mariam Sohail Mukhi (daughter/petitioner) and (3) Faisal Habib (son) as her legal heirs. Original Death Certificate of deceased as well as photostat copies of Family Registration Certificate, issued by the NADRA and title documents of the immovable property are also filed at page 7, 9 and 17 to 31.

Legal heirs No. 1 & 3 have executed Special Power of Attorney duly attested by the Notary Public at Karachi in favour of Sohail Yousuf Mukhi and Tauqir Hussain Abdullah, who have filed their Affidavits of No-Objection on their behalf for the grant of Letter of Administration in favour of the petitioner.

Two witnesses, namely, Huzaifa Iqbal Hussain s/o. Iqbal Hussain Antria and Mazahir Hussain Munniwala s/o. Muhammad Hussain Fida Hussain Munniwala have also filed their respective affidavits and affirmed that there is no

other legal heir of the deceased except mentioned above. Their affidavits are also available on record.

Notice of this petition was published in Daily "Jang" Karachi dated 06.03.2020; however, none has filed any objection to the grant of Letter of Administration to petitioner, as per the report submitted by the Deputy Registrar (OS) on 20.08.2020.

Today petitioner and attorneys of legal heirs No. 1 & 3 as well as above named witnesses are present. They affirm the contents of memo of petition as well as their affidavits and also verify their signatures made thereon.

Since all the legal formalities/requirements have been fulfilled, there is no impediment in grant of Letter of Administration to petitioner, therefore, the petition is allowed. The office is directed to issue Letter of Administration in respect of immovable property/asset shown in the Schedule of Property, as per rules.

J U D G E

Athar Zai